

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WAYNE LANKHAAR,

Defendant.

CASE NO. CR22-0107-JCC-2

ORDER

This matter comes before the Court on Defendant Wayne Lankhaar's unopposed motion to continue trial and pretrial deadlines (Dkt. No. 82).

In July 2022, a grand jury indicted Mr. Lankhaar on five counts of fentanyl possession and distribution. (Dkt. No. 13.) Trial is currently set for February 26, 2024, and the pretrial motions deadline has already passed. (*See* Dkt. No. 71.) The parties had tentatively planned to enter into a plea agreement at a hearing on January 17, but the hearing was rescheduled due to inclement weather. (Dkt. No. 82 at 2.) To facilitate resolution of this case, and in light of the rapidly approaching trial date, Defendant seeks a continuance to June 10, 2024. (*Id.*)¹

Having thoroughly considered the briefing and the relevant record, the Court FINDS that the ends of justice served by granting a continuance outweigh the best interests of Defendant and

¹ Defendant has executed a speedy trial waiver. (*See* Dkt. No. 83.)

1 the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

2 1. Taking into account the exercise of due diligence, a failure to grant a continuance
3 would deny defense counsel the reasonable time necessary for effective preparation due to
4 counsel's need for more time to review the evidence, consider possible defenses, and gather
5 evidence material to the defense as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

6 2. Failure to grant such a continuance would be likely to result in a miscarriage of
7 justice as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

8 3. The additional time requested between the current trial date and the new trial date
9 is a reasonable period of delay.

10 Accordingly, it is hereby ORDERED as follows: (1) Mr. Lankhaar's motion (Dkt. No.
11 82) is GRANTED; (2) trial is CONTINUED to June 10, 2024, and pretrial motions will be due
12 April 29, 2024; and (3) the period from the date of this order until June 10, 2024 is an excludable
13 period under 18 U.S.C. § 3161(h)(7)(A).

14 DATED this 22nd day of January 2024.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE